



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Matthew Sommers  
FOR : OPTICAL WAVE GUIDE  
SERIAL NO. : 09/682,516  
FILED : 09-13-2001  
EXAMINER : Hargobind S. Sawhney  
ART UNIT : 2875  
NOTICE OF ALLOWANCE MAILED : 07-21-2005  
CONFIRMATION NO. : 2609  
ATTORNEY DOCKET NO. : GLOZ 2 00078

RESPONSE TO STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant gratefully acknowledges the indication as to the allowance of the present application.

However, applicant respectfully submits the Statements of Reasons for Allowance are, in and of themselves, inappropriate. It is noted that the reasons for allowance may be set forth in instances in which "... the Examiner believes that the record of the prosecution as a whole does not make clear his or her reasons for

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I hereby certify that this paper and/or fee is being deposited with the United States Postal Service as Express Mail No. EV 702962805 US on 8-25-05 and is addressed to Mail Stop ISSUE FEE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By *Christie L. Cermak*  
Christie L. Cermak

allowing a claim or claims." (37 CFR §1.104(e)(2004)). In the present case, applicant believes the record as a whole does make the reasons for allowance clear and, therefore, no statement by the Examiner is necessary or warranted. Furthermore, the applicant does not necessarily agree with each statement in the reasons for allowance.

Specifically, it has been indicated that the claims are allowed by importing interpretations into the claims in relation to the prior art that results in a potential imprecise and/or inaccurate understanding of the reasons. This places an unwarranted interpretation upon the claims. Such a characterization of the claims does not properly take into account applicant's claimed invention as reflected in the specification and the applicant's responses to the Examiner's office actions.


Therefore, while applicant believes the claims are allowable, applicant does not acquiesce that patentability resides in only the features, exactly as expressed in the claims, nor that each feature is required for patentability.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

Date

8/24/05

  
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